

3:13-XR-90864 JCS

United States District Court  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

V.

**ORDER SETTING CONDITIONS  
OF RELEASE AND BOND**

Case No.: 12cr 758 (ARR)

Eugene Gourevitch  
Defendant

**RELEASE ORDER**

It is hereby ORDERED that the above-named defendant be released as follows, subject to the Standard Conditions of Bond on the reverse and:

- ☐ Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or  
☐ Upon Unsecured Bond executed by defendant in the amount of \$ \_\_\_\_\_ or \$1 million  
☒ Upon Secured Appearance Bond as provided herein.

**Additional Conditions of Release**

Upon finding that release under the standard conditions detailed on the reverse will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, IT IS FURTHER ORDERED that the defendant is subject to the following additional conditions of release:

- ☒ 1. The defendant must remain in and may not leave the following areas without Court permission: EDNY, SDNY, FL, CA
- ☐ 2. The defendant shall avoid all contact and not associate with any of the following persons or entities: \_\_\_\_\_
- ☒ 3. The defendant shall avoid and not go to any of the following locations: \_\_\_\_\_
- ☒ 4. The defendant shall surrender any and all passports to the U.S. Pretrial Services Agency by release and shall not apply for any other passport.
- ☒ 5. Defendant is placed under the express supervision of the Pretrial Services Agency, subject to the Special Conditions on the reverse, if applicable, and  
☐ is subject to random visits by a Pretrial Services officer at defendant's home and/or place of work; as directed by PTS  
☐ must report to that agency ( ) in person \_\_\_\_\_ times per \_\_\_\_\_ and/or ( ) by telephone \_\_\_\_\_ times per \_\_\_\_\_  
☐ is subject to home detention with electronic monitoring with the following conditions: \_\_\_\_\_
- ☒ must undergo ( ) random drug testing ( ) evaluation and/or ( ) treatment for: ( ) substance abuse ( ) alcoholism ☒ mental health problems.  
☐ must pay the cost of treatment and/or electronic monitoring by with personal funds and/or insurance.
- ☐ 6. Other Conditions: \_\_\_\_\_

**APPEARANCE BOND**

The undersigned defendant and sureties jointly and severally acknowledge that I/we and my/our personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$ 1 million. The undersigned agree(s) that this obligation is secured with his/her/their interest in the following property ("Collateral") which he/she/they represent is/are free and clear of liens except as otherwise indicated:

- ☐ cash deposited in the Registry of the Court the sum of \$ \_\_\_\_\_  
☒ premises located at: 826 41st Ave San Francisco, CA owned by David Del Debbio & Faina Gourevitch-Del Debbio  
☒ We also agree to execute a confession of judgment in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before 10/30/13

☐ Other Conditions: \_\_\_\_\_

David Del Debbio

Surety

Address:

826 41st Ave S.F. CA 94121

Address:

826 41st Ave S.F. CA 94121

Faina Gourevitch-Del Debbio

Surety

Address:

(415) 666-8135

The Court has advised the defendant of the conditions of release per 18:3142(b)(1) and (b)(2). This bond is conditioned upon the appearance of the defendant and is subject to the Standard Conditions of Bond set forth on the reverse. If the defendant fails to appear as ordered or notified, or any other condition of this bond is not met, this bond shall be due forthwith.

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth on the reverse of this form.

Eugene S. Gourevitch  
Signature of Defendant

Release of the Defendant is hereby ordered on

Oct 23, 2013

Distribution:

White-Original

Canary - Courtroom Deputy

Pink - Pretrial Services

Goldenrod - Defendant

**RECORDED AT THE REQUEST OF:**

Richard H. Ballin, Esq.

**RETURN TO:**Mr. and Mrs. David Del Debbio  
826 - 41st Avenue  
San Francisco, California 94121San Francisco Assessor-Recorder  
Doris M. Ward, Assessor-Recorder  
**DOC- 2001-G902137-00**

Check Number 0451

Tuesday, FEB 13, 2001 15:15:36

Ttl Pd \$9.00

Nbr-0001554885

**REEL H824 IMAGE 0739**

ogl/ER/1-1

**GRANT DEED**

1683-30

The undersigned grantors declare:

Documentary transfer tax is: -0- (Conveyance is to a trust, which is not pursuant to a sale and is, thus, exempt.)

- ( ) computed on full value of property conveyed, or  
 ( ) computed on full value less value of liens and encumbrances remaining at time of sale.  
 ( ) Unincorporated area ( ) City of \_\_\_\_\_, and

**FOR CONSIDERATION, DAVID A. DEL DEBBIO and FAINA GOUREVITCH-DELDEBBIO, husband and wife, as Joint Tenants, hereby grant to DAVID A. DEL DEBBIO and FAINA GOUREVITCH-DEL DEBBIO, TRUSTEES of the DEL DEBBIO-GOUREVITCH TRUST** (created by a Declaration of Trust, dated June 7, 1999, the following-described real property in the City of San Francisco, County of San Francisco, State of California:

BEGINNING at a point on the easterly line of 41st Avenue, distant thereon 150 feet southerly from the southerly line of Cabrillo Street; running thence southerly on said line of 41st Avenue 25 feet; thence at a right angle easterly 120 feet; thence at a right angle northerly 25 feet; thence at a right angle westerly 120 feet to the point of beginning.  
 BEING a portion of Outside Land Block No. 420.

Commonly known as 826 - 41st Avenue, San Francisco, California

THIS CONVEYANCE IS TO A REVOCABLE TRUST CREATED BY THE GRANTORS AND DOES NOT CONSTITUTE A CHANGE OF OWNERSHIP AND IS NOT SUBJECT TO REASSESSMENT PURSUANT TO REVENUE AND TAXATION CODE SECTION 62.

Dated: JUNE 7, 1999
  
 DAVID A. DEL DEBBIO

  
 FAINA GOUREVITCH-DELDEBBIO
**Mail Tax Statements To:**Mr. and Mrs. David Del Debbio  
826 - 41st Avenue  
San Francisco, California 94121**CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC**

STATE OF CALIFORNIA )

COUNTY OF SAN FRANCISCO ) SS.

On JUNE 7, 1999, before me, LELAND BARRETT, Notary Public, personally appeared **DAVID A. DEL DEBBIO and FAINA GOUREVITCH-DEL DEBBIO**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

  
 Notary Public, State of California

and for the City and County of San Francisco, State of California





EXHIBIT B  
ATTORNEY OF RECORD

Marc Agnifilo of Counsel for Defendant  
Brafman & Associates PC  
767 Third Ave., 26th Floor, New York, NY 10017

## WHEN RECORDED MAIL TO:

Krista DiLorenzo, Clerk of the US District  
Court for the Eastern District of New York  
225 Cadman Plaza East,  
Brooklyn, NY 11201

San Francisco Assessor-Recorder  
Carmen Chu, Assessor-Recorder  
DOC- 2013-J776959-00  
Tuesday, OCT 29, 2013 13:54:16  
Ttl Pd \$39.00 Rcpt # 0004818631  
REEL L013 IMAGE 0462  
ofa/FT/2-3

1683-30

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS SECURING  
A PERSONAL SURETY BOND TO THE UNITED STATES DISTRICT COURT

THIS DEED OF TRUST, made this 29 day of October, between David and Faina Del Debbio, herein called TRUSTOR,  
whose address is 826 - 41st Avenue San Francisco CA 94121 and  
(number and street) (city) (state)

Krista DiLorenzo, Clerk, United States District Court for the Eastern District of New York, herein called TRUSTEE, and  
Krista DiLorenzo, Clerk, United States District Court for the Eastern District of New York, herein called BENEFICIARY,

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that  
property in San Francisco County, California, described as: (ATTACH PROPERTY DESCRIPTION ON SEPARATE PAGE)

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority given to and conferred  
upon Beneficiary by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits.

For the purpose of securing performance of each agreement of Trustor incorporated by reference or contained herein under the bond(s)  
posted on behalf of defendant(s) Eugene Gourevitch in Case No CR 12-0758 which includes an  
obligation by said trustor's surety(ies) in the amount of \$ 1,000,000.00 secured by property

TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES: By the execution and delivery of this Deed of Trust and  
the note or the Personal Surety Bond secured hereby, that provisions (1) to (14), inclusive, (which provisions, identical in all counties, are  
printed on the reverse hereof) of the fictitious deed of trust recorded in the book and at the page of Official Records in the office of the  
County Recorder of the County where said property is located, noted below opposite the name of such County, viz:

COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE
Alameda	RE5477	IM 148	Kings	1122	516	Placer	1996	591	Sierra	78	652
Alpine	30	374-376	Lake	942	153	Plumas	291	119	Siskiyou	824	414
Amador	333	343	Lassen	334	458	Riverside	1978	140181	Solano	1978	55321
Butte	2301	464	Los Angeles	78-738583	--	Sacramento	78-07-07	1144	Sonoma	3421	802
Calaveras	475	244	Madera	1406	233	San Benito	432	18	Stanislaus	3074	385
Colusa	461	325	Marin	3400	76	San Bernardino	9469	1383	Sutter	929	678
Contra Costa	8914	326	Mariposa	185	364	San Diego	1978	78-285214	Tehama	755	108
Del Norte	219	441	Mendocino	1157	523	San Francisco	C601	709	Trinity	192	632
El Dorado	1649	92	Merced	2130	629	San Joaquin	4420	184	Tulare	3549	778
Fresno	7069	711	Modoc	255	590	San Luis Obispo	2084	280	Tuolumne	539	129
Glenn	631	343	Mono	246	573	San Mateo	7759	2337	Ventura	5158	219
Humboldt	1500	553	Monterey	1257	744	Santa Barbara	78-30910	--	Yolo	1316	148
Imperial	1418	1241	Napa	1088	368	Santa Clara	D797	194	Yuba	671	393
Inyo	232	93	Nevada	963	297	Santa Cruz	2933	275			
Kern	5123	521	Orange	12749	728	Shasta	1536	350			

are hereby adopted and incorporated herein and made a part hereof as though fully set forth herein at length; that Trustor will observe and  
perform said provisions; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the  
property, obligations, and parties set forth in the Deed of Trust. The undersigned Trustor requests that a copy of any Notice of Default and of  
any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

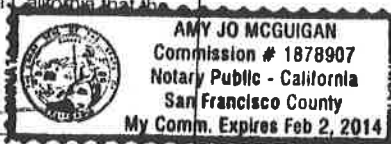
STATE OF CALIFORNIA  
COUNTY OF San Francisco ss:

On October 29, 2013, before me, Amy Jo McGuigan, Notary Public  
personally appeared David Del Debbio & Faina Gourevitch

who proved to me on the basis of satisfactory  
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the  
entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public

THIS DEED OF TRUST IS EXECUTED SOLELY FOR THE PURPOSE OF POSTING BAIL FOR DEFENDANT Eugene Gourevitch IN THE CASE  
OF UNITED STATES v Eugene Gourevitch UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK N° CR 12-0758

U.S. v. Eugene Gourevitch, CR 12-0758 – PROPERTY POSTING

Property Description:

Property held by David A. Del Debbio and Faina Gourevitch-Del Debbio, husband and wife, as Joint Tenants, Trustees of the Del Debbio-Gourevitch Trust (created by a Declaration of Trust, dated June 7, 1999,) the following-described real property in the city of San Francisco, County of San Francisco, State of California:

Beginning at a point on the easterly line of 41st Avenue, distant thereon 150 feet southerly from the southerly line of Cabrillo Street; running thence southerly on said line of 41st Avenue 25 feet; thence at a right angle easterly 120 feet; thence at a right angle northerly 25 feet; thence at a right angle westerly 120 feet to the point of beginning. Being a portion of Outside Land Block No. 420.

Commonly known as 826 – 41st Avenue, San Francisco, California

EXHIBIT A

## OBLIGATION

We, the undersigned, represent and/or agree that:

(1) We are the owners of the property pledged in the attached Deed of Trust;

(2) In consideration for the release of defendant Eugene Gourevitch on bond in the matter of the United States v. Eugene Gourevitch, Case No. CR 12-0758, we pledge the amount of \$ 1,000,000.00 to be secured by the above-mentioned Deed of Trust executed in favor of the United States District Court, Eastern District of New York.

(3) In the event bail is eventually exonerated in said matter, said beneficiary of the Deed of Trust is authorized and requested to execute and acknowledge the Reconveyance document also attached hereto;

(4) In the event bail is eventually forfeited for failure to comply with the terms of the bail order, said beneficiary is authorized to request the trustee under the Deed of Trust to proceed with foreclosure under the terms of the Deed of Trust and to submit this document together with the order forfeiting bail and the Deed of Trust as conclusive evidence of default.

Dated: 10/29/13

J. De La H.

Dated: 10/29/13

JG

(This area for Official Notarial Seal)